



Oregon

Kate Brown, Governor

Department of State Lands

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State Land Board

October 7, 2019

Kate Brown
Governor

Mayor Benetti and City Council
City Hall
500 Central Avenue
Coos Bay, OR 97420

Bev Clarno
Secretary of State

Tobias Read
State Treasurer

Dear Mayor Joe Benetti and Members of the City Council:

The Department of State Lands is sending this letter in response to discussion at the Coos Bay City Council meeting this past Monday, October 1, 2019, regarding the Jordan Cove Energy Project's (JCEP) request to advance the timing of a decision on a local permit. The Department has a Land Use Compatibility Statement (LUCS) from the City dated December 5, 2016, stating the project is not consistent with the comprehensive plan and that consistency requires a plan amendment and that "other possible required land use review applications may include but are not limited to a conditional use permit". The Department cannot issue a Removal-Fill permit without an affirmative LUCS from each of the local jurisdictions in which removal-fill activity occurs. The Department can issue a Removal-Fill permit conditionally pending receipt of certain other local authorizations, e.g. conditional use permit or development permit but only after receiving an affirmative LUCS.

JCEP and the Department have agreed to a Removal-Fill permit decision deadline of January 31, 2020. While there is no statutory requirement for LUCS and other required information and approvals to be submitted to the Department a specific amount of time prior to a decision. The Department requires time to review and process such submittals, to make a decision and to write findings in support of that decision. This is particularly true of complex projects such as the JCEP. The Department has verbally communicated to JCEP that we need at least 30 days following receipt of the LUCS to make a Removal-Fill permit decision. If the LUCS is not received by January 1, 2020, JCEP would likely need to negotiate another extension of the Removal-Fill permit decision deadline.

I hope this information is helpful to you. Please feel free to contact me if you have any questions or concerns.

Sincerely,

Vicki L. Walker

Director, Department of State Lands